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10/029,097	12/21/2001	Muralidharan Ramaswamy	US010696	3447
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			EXAMINER	
			PARRY, CHRISTOPHER L	
			ART UNIT	PAPER NUMBER
			2623	
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			10/30/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/029,097

Applicant(s)

RAMASWAMY, MURALIDHARAN

Examiner

Chris Parry

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2623

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July, 10, 2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. Claim 12 is objected to because of the following informalities: On page 6, line 8 of claim 12, "the a content category of the reminder information" should be --a content category of the reminder information--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2623

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-9, 11-14, 16-18, and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto et al. "Nemoto" (USPN 5,214,622) [cited in previous action] in view of Pierre et al. "Pierre" (US Pub Num 2003/0070182).

Regarding Claim 1, Nemoto discloses a system for providing a reminder message to a display, the system comprising:

a handheld device (20 – figure 3) comprising:

an input device (26 – figures 3-4) (Col. 6, lines 6-15) for:

entering a reminder message (Col. 6, lines 42-50), the reminder message comprising reminder information and a time (11 – figure 1; Col. 5, lines 23-61)

a transmitter (51 – figure 4) for wirelessly transmitting a signal corresponding to the reminder message (Col. 7, lines 5-10);

a memory device (15 – figure 4) for storing reminder messages (Col. 6, lines 45-49);

a first data processor (16 – figure 4) operatively connected to said memory device (15 – figure 4) for retrieving reminder messages from said memory device substantially at the reminder message time determined for display of the reminder information (Col. 7, lines 27-55) and for processing the reminder message to generate a display signal for each retrieved reminder message, the display signal being capable to cause a message corresponding to the respective reminder message to be displayed on a display (Col. 4, lines 50-58; Col. 9, lines 22-30);

Art Unit: 2623

a second processor (12 – figure 2) suitable for receiving an audio/video signal and for processing the received audio/video signal for presentation on a television display (Col. 5, lines 13-22), and for receiving the display signal from said first data processor and for causing the reminder information to be displayed on the television display (11 – figure 1) so that it is superimposed on at least a portion of the audio/video signal (10 – figure 1; Col. 4, lines 40-43) presented on the television display (8 - figure 2) (Col. 10, lines 28-41).

Nemoto fails to disclose determining a reminder message time based on a content category of the reminder information and from the time. In an analogous art, Pierre discloses a system (figure 4) for providing a reminder message to a display, the system comprising: determining a reminder message time based on a content category of the reminder information and from the time (§ 25, 27, 29, 35). Pierre teaches an event notification or “reminder message” may be categorized into one of four categories and based on the category associated with the event notification, an event notification that is classified as a higher priority will be displayed first at an earlier time before a lower priority event notification.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nemoto to include determining a reminder message time based on a content category of the reminder information and from the time as taught by Pierre for the benefit of providing a user-friendly display notification to a user at a necessary time, based off of the category associated with the event notification.

Art Unit: 2623

As for Claims 2 and 13, Nemoto and Pierre disclose, in particular Nemoto teaches wherein said memory device (15 – figure 4) for storing reminder messages and said first data processor (16 – figure 4) reside in said handheld device (20 – figure 4) (Col. 6, lines 33-49).

As for Claims 3 and 14, Nemoto and Pierre disclose, in particular Nemoto teaches wherein said memory device (1 – figure 2) for storing reminder messages resides in a set top box (Col. 4, lines 61-67).

As for Claim 5, Nemoto and Pierre disclose, in particular Nemoto teaches wherein the handheld device comprises a keyboard (26 – figures 3-4) for entering alphanumeric data (Col. 6, lines 49-50).

As for Claims 6, 7, and 16 Nemoto and Pierre disclose, in particular Nemoto teaches means for allowing stored reminder messages to be displayed on a display for editing of the reminder messages (Col. 7, lines 11-18; Col. 13, lines 61-63).

As for Claims 8 and 17, Nemoto and Pierre disclose, in particular Nemoto teaches wherein said handheld device further comprises:

a display (22 – figures 3-4), and means for allowing a user to view the alphanumeric data as the user enters it with said keyboard (Col. 7, lines 11-18).

As for Claims 9 and 18, Nemoto and Pierre disclose, in particular Nemoto teaches wherein the stored reminder messages are capable of being displayed on said display of the handheld device for editing of the reminder messages (Col. 7, lines 11-18; Col. 13, lines 61-63).

As for Claims 11 and 20, Nemoto and Pierre disclose, in particular Nemoto teaches wherein reminder information comprises text and an image (11 – figure 1) (Col. 12, lines 53-61).

Regarding Claim 12, Nemoto discloses a method for providing a reminder message to a display (Abstract) comprising:

entering a reminder message on a handheld device (20 – figures 3-4) the reminder message comprising reminder information and a time (Col. 5, lines 23-61; Col. 6, lines 42-50);

wirelessly transmitting a signal corresponding to the reminder message (51 – figure 4 and Col. 7, lines 5-10);

storing reminder messages in a memory device (1 – figure 2 and Col. 4, lines 59-66);

receiving the transmitted signal (50 – figures 1-2) corresponding to the reminder message (Col. 5, lines 7-13);

Art Unit: 2623

retrieving reminder messages from said memory device (1 – figure 2) at the time selected for display of the reminder information (Col. 4, line 66 to Col. 5, line 3; Col. 5, lines 13-22);

processing the reminder message to generate a display signal for each retrieved reminder message, the display signal being capable to cause a message corresponding to the respective message to be displayed on a display (Col. 5, lines 13-22; Col. 10, lines 28-41);

receiving an audio/video signal (6 – figure 2; Col. 5, lines 13-22);

processing the received audio/video signal for presentation on a television display (7 – figure 2; Col. 5, lines 18-22);

receiving the display signal (8 – figure 2; Col. 5, lines 18-22); and

displaying the information corresponding to a retrieved reminder message on the television display so that it is superimposed on at least a portion of the audio/video signal (11 - figure 1) presented on the television display (10 – figure 1) (Col. 5, lines 13-22), at the reminder message time determined for display of the reminder information (Col. 5, lines 13-61; Col. 10, lines 28-41).

Nemoto fails to disclose determining an appropriate reminder message display time the reminder information is to be displayed to a user based on a content category of the reminder information and from the time. In an analogous art, Pierre discloses a method for providing a reminder message to a display, the method comprising: determining an appropriate reminder message display time the reminder information is to be displayed to a user based on a content category of the reminder information and



Art Unit: 2623

from the time (§ 25, 27, 29, 35). Pierre teaches an event notification or “reminder message” may be categorized into one of four categories and based on the category associated with the event notification, an event notification that is classified as a higher priority will be displayed first at an earlier time before a lower priority event notification.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nemoto to include determining a reminder message time based on a content category of the reminder information and from the time as taught by Pierre for the benefit of providing a user-friendly display notification to a user at a necessary time, based off of the category associated with the event notification.

As for Claims 21 and 23, Nemoto and Pierre disclose, in particular Nemoto teaches a countdown timer (3 – figure 2) for generating the display signal at predetermined intervals after the reminder display time (Col. 2, lines 1-6; Col. 5, lines 13-53). Nemoto discloses a mode in which the memory information display 11 or “reminder message” is continuously or intermittently displayed at appointed display rate and for a separately set display period.

As for Claims 22 and 24, Nemoto and Pierre disclose, in particular Nemoto teaches means for repeating the generation of the display signal periodically at a known rate (Col. 2, lines 1-6; Col. 5, lines 13-53).

Art Unit: 2623

As for Claims 25 and 26, Nemoto and Pierre disclose, in particular Pierre teaches wherein the content category is selected from a list comprising: television program and appointment (§ 25 & 35).

However, Nemoto and Pierre fail to explicitly disclose wherein prescribed medication time is a content category. The examiner gives Official Notice that it is notoriously well known in the art for users to create reminders in order to remember to take prescribed medication at specific times during the day.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Nemoto and Pierre to include prescribed medication time as a content category for the benefit of allowing users to create a reminder to take prescribed medication at specified time during the day to ensure users not forgetting to take the medication during a busy day.

6. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto in view of Pierre as applied to claims 1 and 12 above, and further in view of Allen (USPN 6,259,891) [cited in previous office action].

As for Claims 4 and 15, Nemoto and Pierre jointly disclose the system and method of Claims 1 and 12 but fail to disclose wherein the message corresponding to a retrieved reminder message is transmitted to and displayed on the television display as text in a closed caption message.

Art Unit: 2623

In an analogous art, Allen discloses wherein the message corresponding to a retrieved reminder message is transmitted to and displayed on the television display as text in a closed caption message (Col. 6, line 66 to Col. 7, line 4 & Col. 7, lines 21-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Nemoto and Pierre to include use of closed captioning to display reminder messages, as taught by Allen, for the benefit of inserting a reminder message within the VBI signal of the received broadcast signal which is considered to be an industry standard and commonly implemented on televisions and set-top boxes.

7. Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto in view of Pierre as applied to claims 6 and 12 above, and further in view of Wehmeyer (USPN 6,169,543).

As for Claims 10 and 19, Nemoto and Pierre fail to disclose wherein stored reminder messages are capable of being displayed on the television display for editing of the reminder messages.

In an analogous art, Wehmeyer teaches wherein stored reminder messages are capable of being displayed on the television display for editing of the reminder messages (figure 5A; Col. 13, lines 41-48 & Col. 14, lines 4-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Nemoto and Pierre to include wherein stored reminder messages are capable of being displayed on the television

Art Unit: 2623

display for editing of the reminder messages as taught by Wehmeyer for the benefit of providing the user with a means to edit any reminders or events that may need to be changed before the reminder is to occur.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chris Parry  
Examiner  
Art Unit 2623

/CP/



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